

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE				ATTORNEYS			
<p>Harold Leroy Davis, administrator of the Estate of Harry Bedford Davis, a/k/a H.B. Davis, deceased, and Harold LeRoy Davis, Administrator of the estate of Thelma Catherine Alice Davis, a/k/a Thelma C. Davis, deceased,</p> <p>vs</p> <p>Missouri-Kansas-Texas Railroad Company and Wallace Borum, d/b/a Pryor Lumber & Grain Company</p>				<p>For plaintiff:</p> <p>Burt, Seigel & Franklin, Law Building, 500 W. 7th St., Tulsa, Oklahoma, 74119</p> <p>For defendant:</p> <p>Tom R. Mason Bonds, Matthews & Mason 444 Court Street Muskogee, Oklahoma 74401</p> <p>Ernest R. Brown Box 156 Pryor, Oklahoma 74361</p>			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed 8-1-61	Clerk	7-24-67	Mason	15 00			
J.S. 6 mailed 10-1-67	Marshal	7-27-67	CD 4		15 00		
Basis of Action: Personal Injury-Auto-train.	Docket fee						
	Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-24-67	Petition of removal from the District Court of Mayes County, Oklahoma filed. h	
7-24-67	Removal bond in the amount of \$500.00 filed. Surety- The Travelers Indemnity Co. h	
7-24-67	Answer of Missouri-Kansas-Texas Railroad Company filed. h	
7-24-67	Motion to dismiss defendant Wallace Borum, d/b/a Pryor Lumber & Grain Company filed.	
7-24-67	Motion of Missouri-Kansas-Texas Railroad Company to dismiss the defendant Wallace Borum, d/b/a Pryor Lumber & Grain Company, filed. h	
7-24-67	Brief in support of motion of defendant Wallace Borum, d/b/a Pryor Lumber and Grain Company, for dismissal filed. h	
7-25-67	Notice of Filing, filed. e	
7-26-67	Certificate of filing petition for removal, removal bond and notice in the District Court of Mayes County, Okla., filed. b	
7-31-67	Ordered by the Court that the plaintiff file a response, with supporting brief, to the motion to dismiss of defendant Wallace Borum, d/b/a Pryor Lumber & Grain Company and motion of Missouri-Kansas-Texas Railroad Company to dismiss the defendant Wallace Borum, etc., within 15 days from date. (Fred Daugherty - Judge) b	
8-3-67	Motion to strike filed by defendant, Missouri-Kansas-Texas RR Co. h	
8-3-67	Defendants' brief in support of motion to strike, filed. h	
8-4-67	Ordered by the Court that the plaintiffs respond to the motion of defendant MK&T RR Co's motion to strike, with brief, within 10 days from date. (Fred Daugherty - Judge) b	
8-8-67	Ordered by the Court that the plaintiffs are granted until August 30, 1967 within which to respond, with brief, to the motion of defendant MK&T RR Co's motion to strike. (Fred Daugherty - Judge) b	
8-29-67	Plaintiff's motion to remand, filed. b	
8-29-67	Plaintiff's brief in support of motion to remand, filed. b	
8-29-67	Plaintiff's motion to dismiss, filed. b	
9-11-67	Order filed, sustaining motions to dismiss and dismisses complaint as to the defendant, Wallace Borum, dba Pryor Lumber & Grain Company; and sustains the motion to strike filed by the MK&T Railroad Company as to burial expenses; overrules plaintiff's motion to remand; and defendant MK&T Railroad Company is directed to respond to the plaintiff's motion to dismiss within 10 days from date. (Fred Daugherty-Judge) b	
9-11-67	Copies of the above order mailed to counsel. b	
9-20-67	Stipulation for dismissal without prejudice, filed. b	
9-20-67	Dismissal without prejudice, filed and entered, cause dismissed subject to conditions. (Fred Daugherty - Judge) Copies mailed counsel. b	